

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

124

**CWP-28738-2022 (O&M)
Date of Decision: 14.12.2022**

GURUDWARA SINGH SABHA (REGD.) DASUYA

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Simranjit Singh, Advocate, for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 , for seeking issuance of directions to remove the lock alleged to have been installed on the donation box put in Gurudwara Singh Sabha, Dasuya.

The petitioner although is the Gurudwara Singh Sabha, Dasuya, however, the power of attorney on record does not substantiate that the registered association has preferred the same. The petitioner Parminder Singh claims to be the President of the Gurudwara Singh Sabha, Dasuya and the other petitioners are the office bearers of the registered body.

During the course of arguments, learned counsel appearing on behalf of the petitioners confines his prayer to seek a direction for a time bound adjudication on the pending proceedings before the Sub Divisional Judicial Magistrate, Dasuya under Section 145 of the Code of Criminal Procedure. He contends that the said proceedings were initiated on

01.11.2022 and that arguments had also been submitted on 09.09.2022 however, no final decision has been taken thereupon even though a period of nearly three months has elapsed thereafter.

The aforesaid prayer although not reflected in the present petition, however, the petitioner has sought issuance of any other appropriate order or direction which this Court may deem fit. Thus, the said prayer can be considered therein.

Notice of motion to respondents No.1 to 3 only.

Mr. Saurav Verma, learned Additional Advocate General, Punjab, accepts notice and submits that he has no objection to issuance of any such directions to the Sub Divisional Magistrate, Dasuya, to pass a final order on the pending proceedings under Section 145 of the Code of Criminal Procedure, in a time bound manner.

Accordingly, the present petition is disposed of at this stage without commenting on the merits of the case and the inter se claims between the parties and with the consent of the parties with a direction to the Sub Divisional Magistrate, Dasuya, to pass order in the proceedings under Section 145 of the Code of Criminal Procedure, initiated vide rapat No.46 dated 01.04.2022 in a time bound manner and preferably within a period of 03 months from today.

14.12.2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No